

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Robert Earl Lowry

Docket No. 2:02-CR-13-1F

Petition for Action on Supervised Release

COMES NOW Dwayne K. Benfield, Supervising U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Robert Earl Lowry , who, upon an earlier plea of guilty to Distribution of Cocaine Base (Crack), 21 U.S.C. § 841(a)(1); Possession of a Firearm in Furtherance of a Drug Trafficking Crime, 18 U.S.C. § 924(c)(1) and Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1) was sentenced by the Honorable James C. Fox, Senior U.S. District Judge on July 17, 2007, to the custody of the Bureau of Prisons for a term of 228 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years. On April 18, 2013, the sentence of imprisonment was reduced to 135 months pursuant to 18 U.S.C. § 3582(c)(2).

Robert Earl Lowry was released from custody on June 17, 2015, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On December 17, 2015, the defendant submitted to a urinalysis screening which was confirmed positive for cocaine metabolite by Alere Laboratories on January 3, 2016. When confronted with the results of the screening, the defendant denied cocaine use; nevertheless, the defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

The defendant shall adhere to a curfew of 9:00 PM to 5:00 AM for a period not to exceed 30 days.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: 252-830-2336
Executed On: January 20, 2016

Robert Earl Lowry
Docket No. 2:02-CR-13-1F
Petition For Action
Page 2

ORDER OF THE COURT

Considered and ordered this 20th day of January, 2016 and ordered filed and made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge